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9 CHEVRONTEXACO CORPORATION and  
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17 Attorneys for Plaintiff and Counterdefendant  
18 SIMON GILL

19 UNITED STATES DISTRICT COURT  
20 EASTERN DISTRICT OF CALIFORNIA

21 FRESNO DIVISION

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22 SIMON GILL, ) Consolidated Case No. 1:05-cv-00272-  
23 Plaintiff, ) OWW-LJO  
24 v. ) STIPULATION AND ORDER RE:  
25 CHEVRONTEXACO CORPORATION, a ) PRE-TRIAL SCHEDULE  
26 Delaware corporation, TEXACO INC., a )  
27 Delaware corporation,  
28 Defendants. )  
29 \_\_\_\_\_ )  
30 AND RELATED CROSS-ACTION )  
31 \_\_\_\_\_ )

32 Defendants Chevron Texaco Corporation and Texaco Inc. (“Defendants”) and  
33 Plaintiff Simon Gill (“Plaintiff”), through their attorneys of record, hereby agree and  
34 stipulate as follows:

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1           WHEREAS, the Court issued a Scheduling Conference Order on December 8, 2005  
2 ("Order"), setting forth certain Discovery Plan and Cut-Off dates and a Pretrial Motion  
3 Schedule in this matter; and

4           WHEREAS, the parties desire to continue the Discovery Plan and Cut-Off dates and  
5 Pretrial Motion Schedule in the Court's order by two (2) months in order to accommodate  
6 (1) Defendants' expert witnesses' schedules, (2) the parties' coordination of witnesses  
7 located internationally, and (3) Plaintiff's counsel's trial schedule.

8           THEREFORE, the parties agree and stipulate to the continuance of the Discovery  
9 Plan and Cut-Off dates and Pretrial Motion Schedule in the Court's Order as follows:

10           1.       The parties shall complete all discovery on or before August 31, 2006.  
11           2.       The parties shall disclose all expert witnesses, in writing, on or before June  
12 30, 2006. Any supplemental expert disclosures will be made on or before July 31, 2006.  
13 The parties will comply with the provisions of Federal Rule of Civil Procedure 26(a)  
14 regarding their expert designations. Local Rule 16-240(a) notwithstanding, the written  
15 designation of experts shall be made pursuant to F. R. Civ. P. Rule 26(a)(2)(A) and (B) and  
16 shall include all information required thereunder. Failure to designate experts in  
17 compliance with the order may result in the Court excluding the testimony or other  
18 evidence offered through such experts that are not disclosed pursuant to the order.

19           3.       The provisions of F. R. Civ. P. 26(b)(4) shall apply to all discovery relating  
20 to experts and their opinions. Experts may be fully prepared to be examined on all subjects  
21 and all opinions included in the designation. Failure to comply will result in the imposition  
22 of sanctions.

23           4.       All dispositive pre-trial motions, and cross-motions for summary judgment,  
24 will be filed on or before September 15, 2006. Each party's opposition shall be filed on or  
25 before September 29, 2006. Any replies will be filed by October 6, 2006. The cross-  
26 motions for summary judgment shall be heard on October 30, 2006 at 9:00 a.m., before  
27 District Judge Oliver W. Wanger in Courtroom 2, or at such other time ordered by the  
28 Court.

1           5.     Depending upon the outcome of the cross-motions for summary judgment, a  
2     further scheduling conference will be scheduled after disposition of the motions.

3           **IT IS SO STIPULATED.**

4     Dated: May 16, 2006

5           PILLSBURY WINTHROP SHAW PITTMAN LLP  
6           RICHARD M. SEGAL  
7           BRIAN D. MARTIN

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9           By /s/ \_\_\_\_\_  
10           Brian D. Martin

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12           Attorneys for Defendants and Counterclaimants  
13           CHEVRONTEXACO CORPORATION AND  
14           TEXACO, INC.

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16     Dated: May 16, 2006

17           ALEXANDER & ASSOCIATES, PLC  
18           WILLIAM L. ALEXANDER

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21           By /s/ \_\_\_\_\_  
22           William L. Alexander  
23           Attorneys for Plaintiff and Counter-defendant  
24           SIMON GILL

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ORDER

2 Pursuant to the parties' stipulation, and good cause appearing therefore, the Court  
3 continues the Discovery Plan and Cut-Off dates and Pretrial Motion Schedule in the Court's  
4 Order as follows:

5 1. The parties shall complete all discovery on or before August 31, 2006.  
6 2. The parties shall disclose all expert witnesses, in writing, on or before  
7 June 30, 2006. Any supplemental expert disclosures will be made on or before July 31,  
8 2006. The parties will comply with the provisions of Federal Rule of Civil Procedure 26(a)  
9 regarding their expert designations. Local Rule 16-240(a) notwithstanding, the written  
10 designation of experts shall be made pursuant to F. R. Civ. P. Rule 26(a)(2)(A) and (B) and  
11 shall include all information required thereunder. Failure to designate experts in  
12 compliance with the order may result in the Court excluding the testimony or other  
13 evidence offered through such experts that are not disclosed pursuant to this order.

14 3. The provisions of F. R. Civ. P. 26(b)(4) shall apply to all discovery relating  
15 to experts and their opinions. Experts may be fully prepared to be examined on all subjects  
16 and all opinions included in the designation. Failure to comply will result in the imposition  
17 of sanctions.

18 4. All dispositive pre-trial motions, and cross-motions for summary judgment,  
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21 motions for summary judgment shall be heard on October 30, 2006 at 9:00 a.m., before  
22 District Judge Oliver W. Wanger in Courtroom 2, or at such other time ordered by the  
23 Court.

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